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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,152	07/28/2003	Chang-Ta Wu	JCLA11065	5976
23900	7590	04/05/2006	EXAMINER	
J C PATENTS, INC. 4 VENTURE, SUITE 250 IRVINE, CA 92618			PAIK, STEVE S	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,152

Applicant(s)

WU ET AL.

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed January 13, 2006.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6-9, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawano (JP 20011243432A and computer translated Detailed Description).

Re claims 1 and 7, Kawano discloses a contactless radio frequency magnetic field data transmission card (card 1 comprises an integrated circuit chip, electronic card in claim 7), for transceiving a message with a radio frequency (RF) magnetic field identification reader (IC card reader/writer 2), comprising:

an antenna module (loop antenna 12);

a microprocessing unit (control circuit 14; Fig. 1) for transceiving the message according to a transmission protocol (data communication using a predetermined magnetic field); and

a magnetic field identification chip (IC chip 11), coupled to the antenna module (12) and the micro processing unit (14) for converting the message into a magnetic field signal and then transmitting the magnetic field signal through the antenna module, and converting a magnetic field signal received by the antenna module into the message (see the translation).

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Re claims 8, 13 and 15, Kawano discloses a contactless radio frequency magnetic field transmission system (Fig. 1), comprising:

a radio frequency magnetic identification reader (IC card reader/writer 2), having a magnetic identification chip (IC card reader/writer comprises a magnetic detecting unit 24 that generates an input signal to a control circuit 21) for transceiving a magnetic field signal ([0014]-[0016]); and

a contactless radio frequency magnetic field data transmission card (card 1), having a magnetic identification chip (11) for transceiving the magnetic field signal,

wherein a message (data) is transmitted between the radio frequency magnetic identification reader (2), and the contactless radio frequency magnetic field transmission card (card 1 comprises an integrated circuit chip, electronic card in claim 13) according to a transmission protocol (data communication using a predetermined magnetic field).

Re claims 6 and 14, Kawano discloses the contactless radio frequency magnetic field data transmission card as recited in rejected claims 1 and 8 stated above, wherein the contactless radio frequency magnetic field data transmission card is used as an e-purse (Kawano discloses that the card is contactless tag or a contactless IC card. He further discloses that the card includes an IC chip with a memory 13 that stores data. Kawano does not limit the types of data that can be stored in the memory. Using the card as an e-purse is an example of an intended use of the reference.).

A claim containing a "recitation with respect to the manner in which a claimed apparatus is **intended** to be employed does not differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. Ex parte Masham, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987) (The preamble of claim 1 recited that the apparatus was "for mixing flowing developer material" and the body of

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the claim recited "means for mixing ..., said mixing means being stationary and completely submerged in the developer material". The claim was rejected over a reference which taught all the structural limitations of the claim for the intended use of mixing flowing developer. However, the mixer was only partially submerged in the developer material. The Board held that the amount of submersion is immaterial to the structure of the mixer and thus the claim was properly rejected.).

Re claim 9, Kawano discloses the contactless radio frequency magnetic field data transmission system as recited in rejected claim 8 stated above, wherein the contactless radio frequency magnetic field data transmission card (1) further comprises an antenna module (12) and a micro processing unit (14).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawano (JP 20011243432A and computer translated Detailed Description) in view of Winder et al. (US 6,133,832).

The teachings of Kawano have been fully discussed above with the exception of a radio frequency tag comprising a liquid crystal display and an input peripheral.

Winder et al. disclose an article location/identification tag (16) comprising, among other things, an LCD display (24) and a keypad (26). The LCD and keypad allows a user to identify and ensure the data being exchanged in a wireless manner are accurate and as intended by the user.

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In view of Winder et al.'s teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ an LCD and a keypad in addition to the contactless radio frequency magnetic field data card of Kawano due to the fact that accurate input and output processes can be accomplished during the wireless communication using the card.

6. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawano (JP 20011243432A and computer translated Detailed Description) in view of Waterhouse et al. (US 2004/0205350 A1).

The teachings of Kawano have been fully discussed above.

However, Kawano is silent about the transmission card using a 4-bit data format.

Waterhouse et al. disclose a microprocessor (14) that is a 4-bit microprocessor. The 4-bit microprocessor of Waterhouse handles and transceives a 4-bit code data package.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated a 4-bit microprocessor of Waterhouse et al. into the teachings of Kawano since both processors provide substantially equivalent functions. Waterhouse reference is provided for the purpose of disclosing a 4-bit microprocessor installed within a radio frequency ID tag since Kawano does not explicitly disclose a type of microprocessor that is used in the contactless radio frequency magnetic field data card.

Response to Arguments

7. Applicant's arguments, see pages 5-9, filed January 13, 2006, with respect to the rejection(s) of claim(s) 1-34, 6-11, and 13-16 under 35 U.S.C. § 112, 102 and/or 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However,

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upon further consideration, a new ground(s) of rejection is made in view of Kawano (JP 20011243432A and computer translated Detailed Description), Winder et al. (US 6,133,832) and Waterhouse et al. (US 2004/0205350 A1).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 5:30a-2:00p (Maxi-Flex*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven S. Paik
Primary Examiner
Art Unit 2876

ssp